

P33117USw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Eatherton, et al.

Serial No.: 10/528,592

Examiner: unassigned

Filing Date: September 25, 2003

Art Unit: unassigned

For: PYRIDINE DERIVATIVES AS CB2 RECEPTOR MODULATORS

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF
PETITION FOR WITHDRAWAL OF ABANDONMENT
37 CFR 1.181(a)

Sir:

This Request for Reconsideration is submitted in response to the Notification of Abandonment mailed August 4, 2006, and further to the Decision on Petition dated October 26, 2006. The Notice states that Applicants failed to respond to a Notification of Missing Requirements mailed November 17, 2005. Applicants respectfully submit that a response to the Notification of Missing Requirements was timely filed by facsimile transmission on December 8, 2005.

This Request includes duplicate copies of materials submitted with the Petition for Withdrawal of Abandonment submitted by EFS on August 17, 2006. In addition, this Request is submitted with a Statement of Valerie L. Phillips (not previously submitted).

Transmitted herewith are a duplicate copies of

- Certificate of Transmission by Facsimile (1 pg), signed by Valerie L. Phillips dated December 8, 2005, identifying the Notification of Missing Requirements, Transmittal Letter, and Declaration,
- Transmittal Letter (3 pgs) identifying an oath or declaration and authorizing that all applicable charges may be charged to Applicants' deposit account,
- Copy of Transmittal Letter (3 pgs) identifying an oath or declaration and authorizing that all applicable charges may be charged to Applicants' deposit account,
- Notice of Missing Requirements (2 pgs) dated November 17, 2005,

P33117USw

- Combined Declaration for Utility or Design Patent Application with Power of Attorney (3 pgs)
- Power of Attorney (1 pg)
- Certificate Under 37 CFR 3.73(b) (4 pgs)
- Applicants' fax confirmation report (1 pg) showing that 17 pages were successfully transmitted to fax number 703-305-3230 on December 8, 2005.

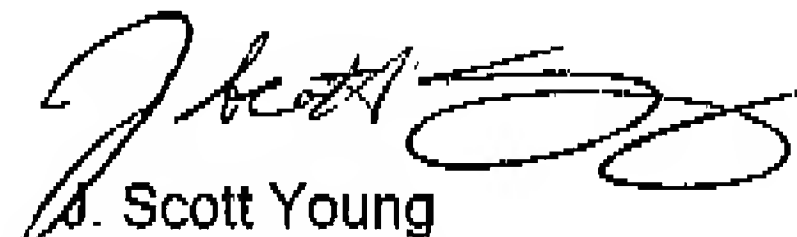
Transmitted herewith is an original of

- Statement of Valerie L. Phillips, with first hand knowledge of the December 8, 2005 Certificate of Transmission by Facsimile.
- Current copy of Applicants' docket sheet for the above referenced file as evidence that a reply was transmitted to the Office on December 8, 2005.

In view of the foregoing, Applicants respectfully submit that abandonment was not proper and request withdrawal thereof.

Applicants respectfully submit that the instant application is in condition for allowance, which action is respectfully requested. The Examiner is invited to contact the undersigned at (919) 483-8160, to discuss this case, if desired.

Respectfully submitted,



J. Scott Young
Attorney for Applicants
Registration No. 45,582

Date: November 14, 2006
GlaxoSmithKline Inc.
Five Moore Drive, PO Box 13398
Research Triangle Park
North Carolina 27709
(919) 483-8160
fax: (919) 483-7988
Scott.S.Young@gsk.com

FAX**GlaxoSmithKline****To** Attn: Deborah D. Williams**Company** USPTO**Fax** 703-305-3230**From** Valerie L. Phillips**Tel** 919-483-8223 **Fax** 919-483-5730**E-mail** Vlp47157@gsk.com**Date** December 8, 2005 **Pages including cover** 17**Subject** Response to Missing Requirements

Glaxo Wellcome Inc.
PO Box 13398
Five Moore Drive
Research Triangle Park
North Carolina 27709
Tel: 919 483 2100
www.gsk.com

COPY**Serial No.:** 10/528,592**Filing Date:****Applicant:** Eatherton et al.**Title:** Pyridine Derivatives as CB2 Receptor Modulators**Attached:**

Certificate of transmission via facsimile

Notification of Missing Requirements under 35 U.S.C. 371 in the US.....

Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. 371

Declaration

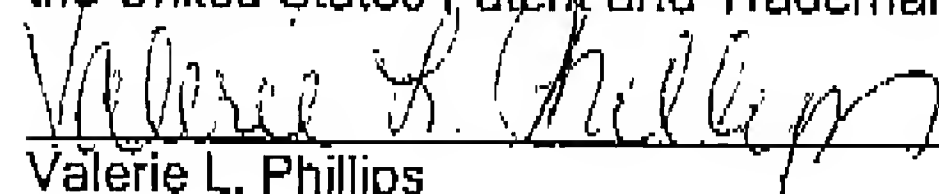
Power of Attorney & Resolution

Certificate Under 37 CFR 3.73(b)

Thank you,
Valerie Phillips

Certificate of Transmission by Facsimile (37 CFR 1.8)

I hereby certify that this Response to Notification of Missing Requirements is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-305-3230) on December 8, 2005.


Valerie L. Phillips

The information contained in these documents is confidential and may also be privileged and is intended for the exclusive use of the addressee designated above. If you are not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, any disclosure, reproduction, distribution, or any other dissemination or use of this communication is strictly prohibited. If you have received this transmission in error please contact us immediately by telephone so that we can arrange for its return.

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE, U.S. DEPARTMENT OF COMMERCE
(REV. 7-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

A. KEY'S DOCKET NUMBER

P33117USW

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/528,592

INTERNATIONAL APPLICATION NO.
PCT/EP03/10935INTERNATIONAL FILING DATE
September 25, 2003PRIORITY DATE CLAIMED
September 27, 2002

TITLE OF INVENTION

Pyridine Derivatives As CB2 Receptor Modulators

APPLICANT(S) FOR DO/EO/US

EATHERTON, A.J.; GIBLIN, G.M.P.; GREEN, R.H.; JANDU, K.S.; MITCHELL, W.L.; NAYLOR, A.; PALOMBI, G.;
RAWLINGS, D.A.; SLINGSBY, B.P.; WHITTINGTON, A.R.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☒ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.

COPY

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/528,592		PCT/EP03/10935		P33117USW	
23. Other items or information:					
The following fees have been submitted:				CALCULATIONS PTO USE	
24. <input type="checkbox"/> Basic national fee				\$	\$0.00
25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	\$0.00
If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article				\$	\$0.00
All other situations.				\$	\$0.00
26. <input type="checkbox"/> Search fee (37 CFR 1.492(b))				\$	\$0.00
If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . .				\$	\$0.00
Search fee (37 CFR 1.445(a)(2)) has been paid on the International application to the as an International Searching Authority.				\$	\$0.00
International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB.				\$	\$0.00
All other situations.				\$	\$0.00
TOTAL OF 24, 25 and 26 =				\$	\$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$	\$0.00
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE	\$	\$0.00
- 100 =	0 /50 =	0	x \$250.00	\$	\$0.00
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	\$130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	\$0.00
Total claims	- 20 =	0	x \$50.00	\$	\$0.00
Independent claims	- 3 =	0	x \$200.00	\$	\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$	\$130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	\$0.00
SUBTOTAL =				\$	\$130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	\$0.00
TOTAL NATIONAL FEE =				\$	\$130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
TOTAL FEES ENCLOSED =				\$	\$130.00
Amount to be				\$	
Amount to be				\$	

COPY

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Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 07-1392 in the amount of \$ \$130.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

23347

SIGNATURE

J. Scott Young

NAME

45,582

REGISTRATION NUMBER

DATE

COPY

FORM PTO-1390 (Modified) U.S. PATENT AND
(REV. 7-2005)

MARK OFFICE; U.S. DEPARTMENT OF COMMERCE

A JENY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
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CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

P33117USW

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/528,592

INTERNATIONAL APPLICATION NO.
PCT/EP03/10935INTERNATIONAL FILING DATE
September 25, 2003PRIORITY DATE CLAIMED
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TITLE OF INVENTION

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EATHERTON, A.J.; GIBLIN, G.M.P.; GREEN, R.H.; JANDU, K.S.; MITCHELL, W.L.; NAYLOR, A.; PALOMBI, G.;
RAWLINGS, D.A.; SLINGSBY, B.P.; WHITTINGTON, A.R.

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/528,592		INTERNATIONAL APPLICATION NO. PCT/EP03/10935		ATTORNEY'S DOCKET NUMBER P33117USW	
23. Other Items or Information:					
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25. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 All other situations \$200				\$	\$0.00
26. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB \$400 All other situations \$500				\$	\$0.00
TOTAL OF 24, 25 and 26 =				\$	\$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
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TOTAL OF ABOVE CALCULATIONS =				\$	\$130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	\$0.00
SUBTOTAL =				\$	\$130.00
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TOTAL NATIONAL FEE =				\$	\$130.00
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TOTAL FEES ENCLOSED =				\$	\$130.00
				Amount to be	\$
				Amount to be	\$

COPY

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007 OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

23347


SIGNATURE

J. Scott Young

NAME

45,582

REGISTRATION NUMBER

DATE

COPIED TO THE UK



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

Handwritten: xpm / JSY / LUK / Val
COPY

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/528,592	Andrew John Eatherton	P33117USW

INTERNATIONAL APPLICATION NO.

PCT/EP03/10935

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

09/25/2003

09/27/2002

23347

GLAXOSMITHKLINE

CORPORATE INTELLECTUAL PROPERTY, MAI B475

FIVE MOORE DR., PO BOX 13398

RESEARCH TRIANGLE PARK, NC 27709-3398

CONFIRMATION NO. 7151

371 FORMALITIES LETTER



OC000000017469762

NOV 29 2005

Date Mailed: 11/17/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/21/2005
- Copy of the International Search Report filed on 03/21/2005
- Copy of IPE Report filed on 03/21/2005
- Preliminary Amendments filed on 03/21/2005
- Information Disclosure Statements filed on 03/21/2005
- Copy of references cited in ISR filed on 03/21/2005
- U.S. Basic National Fees filed on 03/21/2005
- Priority Documents filed on 03/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

DOCKETED

Handwritten: P 33117 USW
 Docket No: P 33117 USW
 Attorney: JSY (LUK)
 Paper: Declaration w/ Fee
 Due Date: 17 JAN 2006
 Deadline: 17 JUNE 2006
 Recorded: M

COPY

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,592	PCT/EP03/10935	P33117USW

FORM PCT/DO/EO/905 (371 Formalities Notice)

COMBINED DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION WITH POWER OF ATTORNEY

 ATTORNEY'S DOCKET
P33117

 First Named Inventor:
Andrew John
EATHERTON

~~Completed~~ ~~Down:~~

Filing Date

Group Art Unit:

☐ Declaration submitted with initial filing or

☐ Declaration submitted after initial filing (surcharge required 37CFR1.16(e))

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

COMPOUNDS

the specification of which (check only one item below):

☐ is attached hereto.

OR

☒ was filed on 25 September 2003 as United States application Serial No. _____ or PCT International

 Application Number *PCT/EP03/10935 filed and was amended on (MM/DD/YYYY) _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 (a)-(d) or §365(b) of any foreign applications(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

Prior Foreign Application Number (s)	Country	Foreign Filing Date (MM/DD/YYYY)	PRIORITY CLAIMED
1. 0222495.4	GREAT BRITAIN	27 September 2002	X
2.			
3.			
4.			
5.			

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date (MM/DD/YYYY)
1.	
2.	
3.	

COPY
**COMBINED DECLARATION FOR UTILITY or DESIGN
PATENT APPLICATION WITH POWER OF ATTORNEY** Continued

 ATTORNEY'S DOCKET NUMBER
P33117

I hereby claim the benefit under 35, U.S.C. §120 of any United States application or §365(c) of any PCT international application designating the United States of America that is listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. PARENT APPLICATION or PCT PARENT APPLICATION

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	STATUS (Check one)		
		PATENTED	PENDING	ABANDONED

POWER OF ATTORNEY: As a named inventor, I hereby appoint the practitioners associated with the Customer Numbers provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith
Customer Number 23347 and Customer Number 20462

 Address all correspondence and telephone calls to Customer Number 23347

Direct Telephone Calls to:

 Lorie Ann Morgan
919 483 8222

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	FAMILY NAME EATHERTON	FIRST GIVEN NAME Andrew	SECOND GIVEN NAME/INITIAL John
	INVENTOR'S SIGNATURE	Signature <i>a. j. eaton</i>		Date: 08/12/2003
	RESIDENCE & CITIZENSHIP	CITY WELWYN	STATE OR FOREIGN COUNTRY HERTFORDSHIRE, GB	COUNTRY OF CITIZENSHIP GB
	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive, PO Box 13398	CITY Research Triangle Park	STATE & ZIP CODE/COUNTRY North Carolina 27709, US
2 0 2	FULL NAME OF INVENTOR	FAMILY NAME GIBLIN	FIRST GIVEN NAME Gerard	SECOND GIVEN NAME/INITIAL Martin, Paul
	INVENTOR'S SIGNATURE	Signature <i>Gerard Giblin</i>		Date: 08/12/2003
	RESIDENCE & CITIZENSHIP	CITY WELWYN	STATE OR FOREIGN COUNTRY HERTFORDSHIRE, GB	COUNTRY OF CITIZENSHIP GB
	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive, PO Box 13398	CITY Research Triangle Park	STATE & ZIP CODE/COUNTRY North Carolina 27709, US
2 0 3	FULL NAME OF INVENTOR	FAMILY NAME DOUGHTY As executor of the estate of Richard Howard GREEN (Deceased)	FIRST GIVEN NAME Jennifer	SECOND GIVEN NAME/INITIAL Margaret
	INVENTOR'S SIGNATURE	Signature <i>Jennifer M. Doughty</i>		Date: 02/24/05
	RESIDENCE & CITIZENSHIP	CITY PORTLAND	STATE OR FOREIGN COUNTRY MAINE, US	COUNTRY OF CITIZENSHIP GB
	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive, PO Box 13398	CITY Research Triangle Park	STATE & ZIP CODE/COUNTRY North Carolina 27709, US
2 0 4	FULL NAME OF INVENTOR	FAMILY NAME JANDU	FIRST GIVEN NAME Karamjit	SECOND GIVEN NAME/INITIAL Singh
	INVENTOR'S SIGNATURE	Signature <i>Karamjit Jandu</i>		Date: 09/12/03
	RESIDENCE & CITIZENSHIP	CITY WELWYN	STATE OR FOREIGN COUNTRY HERTFORDSHIRE, GB	COUNTRY OF CITIZENSHIP GB
	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive, PO Box 13398	CITY Research Triangle Park	STATE & ZIP CODE/COUNTRY North Carolina 27709, US

2	FULL NAME OF INVENTOR	FAMILY NAME MITCHELL	FIRST GIVEN NAME William	SECOND GIVEN NAME/INITIAL Leonard
0	INVENTOR'S SIGNATURE	Signature <i>W. L. Mitchell</i>		Date: <i>8 December 2003</i>
0	RESIDENCE & CITIZENSHIP	CITY WELWYN	STATE OR FOREIGN COUNTRY HERTFORDSHIRE, GB	COUNTRY OF CITIZENSHIP GB
4	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive, PO Box 13398	CITY Research Triangle Park	STATE & ZIP CODE/COUNTRY North Carolina 27709, US
2	FULL NAME OF INVENTOR	FAMILY NAME NAYLOR	FIRST GIVEN NAME Alan	SECOND GIVEN NAME/INITIAL
0	INVENTOR'S SIGNATURE	Signature <i>A. Naylor</i>		Date: <i>12/12/03</i>
0	RESIDENCE & CITIZENSHIP	CITY HARLOW	STATE OR FOREIGN COUNTRY ESSEX, GB	COUNTRY OF CITIZENSHIP GB
4	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive, PO Box 13398	CITY Research Triangle Park	STATE & ZIP CODE/COUNTRY North Carolina 27709, US
2	FULL NAME OF INVENTOR	FAMILY NAME PALOMBI	FIRST GIVEN NAME GIOVANNI	SECOND GIVEN NAME/INITIAL
0	INVENTOR'S SIGNATURE	Signature <i>Giovanni Palombi</i>		Date: <i>25th Nov 2003</i>
0	RESIDENCE & CITIZENSHIP	CITY MILAN	STATE OR FOREIGN COUNTRY ITALY	COUNTRY OF CITIZENSHIP IT
4	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive, PO Box 13398	CITY Research Triangle Park	STATE & ZIP CODE/COUNTRY North Carolina 27709, US
2	FULL NAME OF INVENTOR	FAMILY NAME RAWLINGS	FIRST GIVEN NAME Derek	SECOND GIVEN NAME/INITIAL
0	INVENTOR'S SIGNATURE	Signature <i>D. Rawlings</i>		Date: <i>8/12/03</i>
0	RESIDENCE & CITIZENSHIP	CITY WELWYN	STATE OR FOREIGN COUNTRY HERTFORDSHIRE, GB	COUNTRY OF CITIZENSHIP GB
4	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive, PO Box 13398	CITY Research Triangle Park	STATE & ZIP CODE/COUNTRY North Carolina 27709, US
2	FULL NAME OF INVENTOR	FAMILY NAME SLINGSBY	FIRST GIVEN NAME Brian	SECOND GIVEN NAME/INITIAL
0	INVENTOR'S SIGNATURE	Signature <i>B. Slingsby</i>		Date: <i>8/12/03</i>
0	RESIDENCE & CITIZENSHIP	CITY WELWYN	STATE OR FOREIGN COUNTRY HERTFORDSHIRE, GB	COUNTRY OF CITIZENSHIP GB
4	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive, PO Box 13398	CITY Research Triangle Park	STATE & ZIP CODE/COUNTRY North Carolina 27709, US
2	FULL NAME OF INVENTOR	FAMILY NAME WHITTINGTON	FIRST GIVEN NAME Andrew	SECOND GIVEN NAME/INITIAL
0	INVENTOR'S SIGNATURE	Signature <i>A. Whittington</i>		Date: <i>11/12/03</i>
0	RESIDENCE & CITIZENSHIP	CITY STEVENAGE	STATE OR FOREIGN COUNTRY HERTFORDSHIRE, GB	COUNTRY OF CITIZENSHIP GB
4	POST OFFICE ADDRESS	POST OFFICE ADDRESS GlaxoSmithKline Five Moore Drive, PO Box 13398	CITY Research Triangle Park	STATE & ZIP CODE/COUNTRY North Carolina 27709, US

Doc Code:

PTO/SB/81 (04-05)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number	10/528,592
	Filing Date	
	First Named Inventor	Eatherton et al.
	Title	Pyridine Derivatives As CB2 Receptor
	Art Unit	
	Examiner Name	
	Attorney Docket Number	P33117USW

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71,
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Signature

Date

Name

Charles E. Dadswell

Telephone

919-483-6983

Title and Company

Attorney, GlaxoSmithKline

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form, and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Doc Code: P33117USW

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STATEMENT UNDER 37 CFR 3.73(b)**CO**Applicant/Patent Owner: Glaxo Group LimitedApplication No./Patent No.: 10/528,592

Filed/Issue Date: _____

Entitled: Pyridine Derivatives As CB2 Receptor ModulatorsGlaxo Group Limited, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 016248, Frame 0088, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

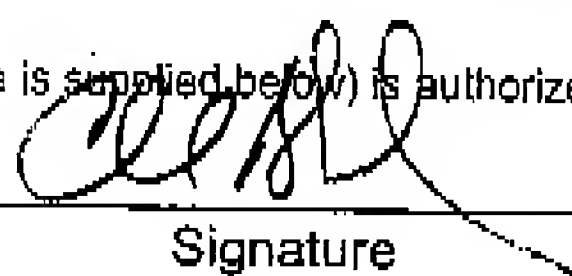
1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., a true copy of the original assignment document (s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

Charles E. Dadswell

Printed or Typed Name

12/8/05

Date

919-483-6983

Telephone number

Attorney (Resolution Attached)

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

NO by 88860

John Venn & Sons

Scrivener Notaries
Translators

William B Kennair LL.B. • Jessica M Reeve M.A. • Jonathan P Courts M.A., M.Ph.
Associate: Agnes Corless
Consultant: Bridget M Ellison B.A.

95 Aldwych London WC2B 4JF
United Kingdom

Telephone: 020 7305 4300
Fax: 020 7305 4300
e-mail: notary@johnvenn.co.uk
http://www.johnvenn.co.uk

COPY

I, JESSICA MARGARET REEVE, a duly admitted Notary Public, having jurisdiction throughout England and Wales and practising in London, England, hereby certify:

1. THAT the annexed Power of Attorney was sealed with the Common Seal of GLAXO GROUP LIMITED;

2. THAT the affixing of the said Seal was witnessed by LORRAINE ANNE DAY, one of the Directors of EDINBURGH PHARMACEUTICAL INDUSTRIES LIMITED, Corporate Director of GLAXO GROUP LIMITED and RICHARD JAMES STEPHENS, Assistant Secretary of the said GLAXO GROUP LIMITED;

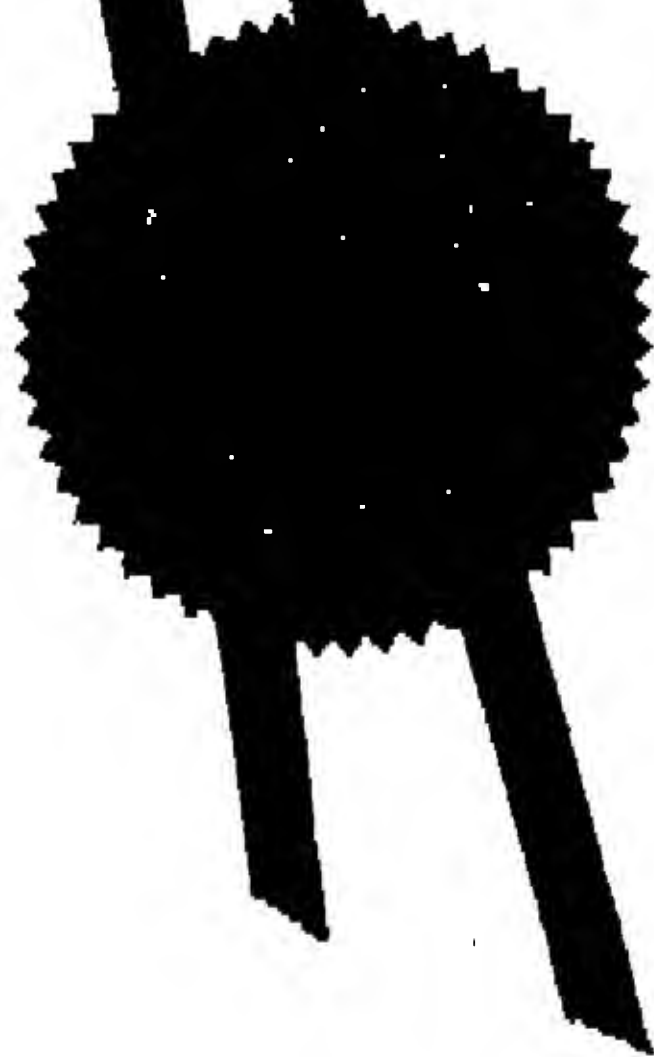
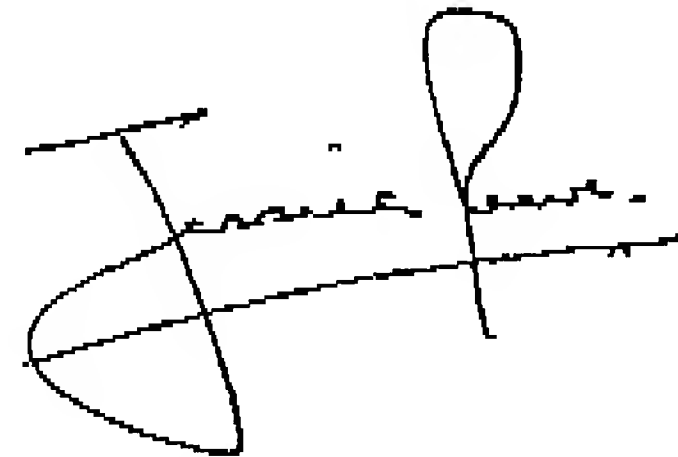
3. THAT the said GLAXO GROUP LIMITED is duly incorporated and existing under English Law, having its Registered Office at Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex, UB6 0NN, England;

4. THAT the said Seal was affixed in the manner prescribed by the current, duly adopted Articles of Association of the said Company;

5. THAT the said signatures were subscribed by authority of the Directors of the said Company;

6. AND THAT the said Power of Attorney, being so sealed and signed, is duly executed by and binding on the said Company.

IN WITNESS whereof I have issued this Certificate under my signature and Seal of Office at London, aforesaid, the fourth day of March Two thousand and five.



Power of Attorney

BY THIS POWER OF ATTORNEY given this ~~20th~~ day of ~~FEBRUARY~~ two thousand and five GLAXO GROUP LIMITED, a company incorporated in England and Wales (Registration No. 305979) and having its registered office at Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex, UB6 0NN, England (hereinafter called "the Company"), HEREBY appoints all and any of its Directors, Secretary and Assistant Secretary for the time being, and DAVID ROBERTS, PETER JOHN GIDDINGS, ARTHUR WILLIAM RUSSELL TYRRELL, MARCUS J. W. DALTON, PETER I. DOLTON, WENDY ANNE FILLER, MICHAEL JOHN STOTT, HUGH BAINFORDE DAWSON, HELEN QUILLIN, CHARLES KINZIG, STEPHEN VENETIANER, THEODORE R. FURMAN, MARY E. MCCARTHY, EDWARD R. GIMMI, CHARLES E. DADSWELL, ROBERT H. BRINK and FRANK P. GRASSLER jointly and severally to be its true and lawful agents and attorneys (hereinafter called "the Attorneys") on behalf and in the name of the Company or otherwise to do, perform, exercise or execute or concur with any other person or persons in doing, performing or exercising in or for any country or countries or jurisdiction in any part of the world all or any of the following powers, acts, deeds and things in connection with: letters patent, including extensions thereto; utility models; copyrights; trademark registrations; trademarks; trade names; trade dress; logos; design rights; designs and all rights analogous thereto and all applications therefor and any other forms whatsoever of intellectual property rights; including know-how, all of which are hereinafter called "Intellectual Property Rights", that is to say:

1. In any country or countries or jurisdiction in any part of the world to make application or cause application to be made for the grant or issue or transfer to the Company or registration in its name of Intellectual Property Rights and to take all steps necessary for the same to be prosecuted, maintained, withdrawn, renewed, enforced, defended or extended.
2. As the act and deed of the Company to sign, seal, deliver and execute all or any assignments or assurances, licences to the Company of or under any Intellectual Property Rights or the right to and interest in any inventions to be the subject of Intellectual Property Rights for the purpose of fully and effectually vesting and transferring the same in and to the Company.
3. As the act and deed of the Company to sign and execute all or any assignments and acceptances of the transfer or assignment of such rights, and also any licences, sub-licences and consents from the Company of or under any Intellectual Property Rights or the right to and interest in any invention to be the subject of Intellectual Property Rights, for the purpose of fully and effectually vesting transferring or granting the same in and to any entity, whether in the United Kingdom or elsewhere, in so far as such documents can be executed without the Company's seal being affixed thereto. For purposes of this Power of Attorney, the terms "entity" means, and includes, any person, firm or company or group of persons or unincorporated body.
4. To give undertakings or assurances to third parties and to any Trademark Registry or official intellectual property agency or governmental department or otherwise responsible for the registration or protection of trademarks, trade names, trade dress, logos, design rights or designs for the purpose of best protecting or ensuring the co-existence of the Company's rights to trademarks, trade names, trade dress, logos, design rights or designs.
5. To commence, prosecute and defend any proceedings or applications whether judicial or extra judicial relating to Intellectual Property Rights and to maintain, withdraw or settle the same.
6. For and in connection with any Intellectual Property Rights to sign, seal, deliver and execute any Power of Attorney or other deed or document authorising any agent,

- 2 -

including trademark and patent agents and attorneys, to act on behalf of the Company.

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7. To apply for the registration, amendment or cancellation of user rights in respect of any trademark or trade name.
8. To act in regard to all official communications which may now or hereafter be addressed to the Attorneys relating to Intellectual Property Rights or the renewal thereof in such manner that the Attorneys may be recognised as the authorised agent(s) of the Company in all proceedings in relation thereto.
9. For all or any of the purposes contained herein as the act and deed of the Company to sign, seal, deliver, execute and do all such documents, deeds, agreements, instruments and to do such acts as shall be requisite or may be deemed proper for or in relation to the said purposes.

AND THE COMPANY HEREBY RATIFIES and confirms and agrees to ratify and confirm all and whatsoever the Attorneys or any person, persons, firm or company appointed by them shall lawfully do or have done by virtue of the authorities herein contained

AND THE COMPANY HEREBY DECLARES that all instruments executed under and by virtue of this Power shall be as valid and effectual as if sealed by the Common Seal of the Company.

IN WITNESS whereof GLAXO GROUP LIMITED has caused its Common Seal to be hereunto affixed the day and year first before written

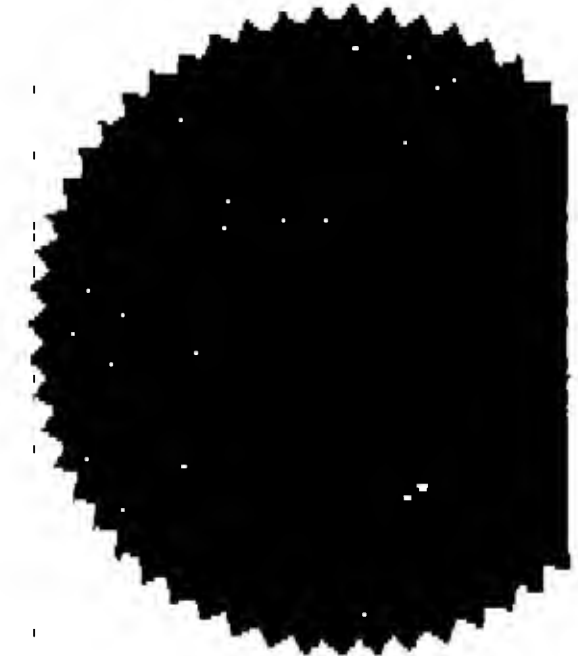
The COMMON SEAL of
GLAXO GROUP LIMITED
was hereto affixed in the presence of:

Director

For and on Behalf of
Edinburgh
Pharmaceutical
Industries
Limited

DIRECTOR

Secretary / Assistant Secretary



* * * COMMUNICATION RESULT REPORT (DEC. 8. 2005 3:49PM) * * *

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E-3) NO ANSWER

E-2) BUSY

E-4) NO FACSIMILE CONNECTION

P33117USw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Eatherton, et al.

Serial No.: 10/528,592

Examiner: unassigned

Filing Date: September 25, 2003

Art Unit: unassigned

For: PYRIDINE DERIVATIVES AS CB2 RECEPTOR MODULATORS

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF VALERIE PHILLIPS
37 CFR 1.8(b)(3)

Sir:

I, Valerie L. Phillips, state the following:

I am currently employed in the Corporate Intellectual Property department of GlaxoSmithKline ("GSK"), Five Moore Drive, Research Triangle Park, NC. GSK is an affiliated company with Glaxo Group Limited, assignee of instant application. I have been employed at GSK (or at least one of its predecessor companies) since well before December 8, 2005.

I regularly transmit documents to the USPTO via mail and facsimile as part of my job. When transmitting documents, I regularly sign Certificates of Mailing or Certificates of Transmission by Facsimile (collectively "Certificates").

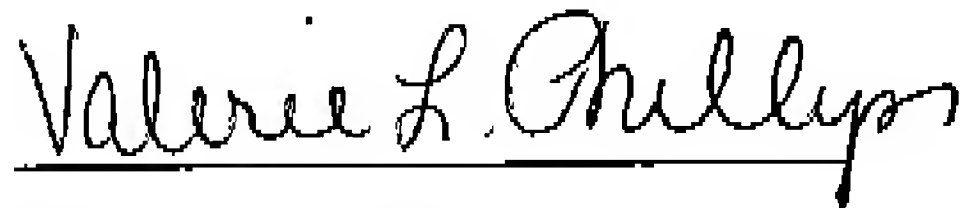
It is my regular business practice to sign and date Certificates only if I am certain that the Certificates and associated documents will be mailed or faxed on the date identified in said Certificates.

I have reviewed a facsimile cover sheet entitled Response to Missing Requirements ("Response"). Said cover sheet includes a Certificate of Transmission by Facsimile signed by me, identifies the instant application by serial number, and is dated December 8, 2005. I have also reviewed a facsimile transmission report associated with the Response to Missing Requirements dated December 8, 2005.

P33117USw

Based upon my first-hand knowledge, and after review of the Response and associated facsimile transmission report, I represent that the Response and the documents identified in the Response (copy of Notification of Missing Parts, Transmittal Letter, Declaration, Power of Attorney and Resolution, and Certificate Under 37 CFR 3.73(b)) were transmitted by me to the USPTO on December 8, 2005.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Valerie L. Phillips

November 14, 2006

Date

Val

91368

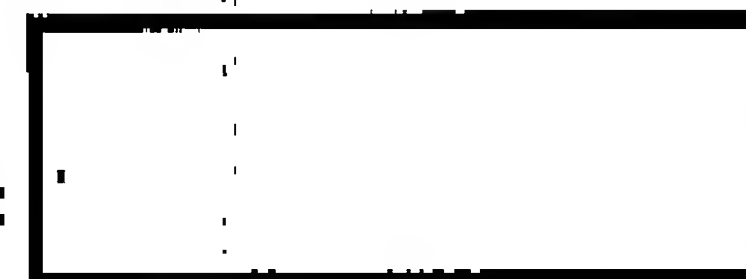


Patent: P33117, United States, Regular, Patent Cooperation Treaty, Original Filing

Checked by
Attorney:
(date and initials)



Citations
Updated:



Patent Data

Case No. P33117
Country United States
Case Type Regular
Relation Type Original Filing
Filing Type Patent Cooperation Treaty
Filing Number
Status Filed
Sub Status
Parent Country Patent Cooperation Treaty
Parent Number PCT/EP2003/010935
Application Number 10/528592
Patent Number
Publication Number
Program
Convention Type PCT Convention
Operating Group UNITED KINGDOM
Cost Centre 1PT101

Attorney
Agent
Sub Agent Ref No
Client/Division
Applicant
First Filing Date
Sub Status Date
Parent Filing Date
Parent Grant Date
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John V. Knight
J Scott YOUNG

Pharmaceuticals
Glaxo Group Limited
27-Sep-2002

25-Sep-2003

25-Sep-2003

OFFICIAL ACTION

The following details have been produced directly from the Database. Please check the due dates, initial below and RETURN TO DOCKETING.

Title

AROMATIC/ARYL PYRIDINE COMPOUNDS

ACTION TAKEN DATE _____ COMPLETED DATE _____
(OR US RESPONSES & RULE 51(6)) (DATE RESPONSE MAILED)

____ CASE ABANDONED ABANDONMENT DATE _____

____ EXTENSION OF TIME REQUESTED - NUMBER OF MONTHS _____

____ DIARY DATE TO BE SIGNED OFF ATTORNEY INITIALS _____

Other Case-Related Information

Actions

Action	Action Due Date	Taken Date	Deadline Date	Completed Date	Action Notes
Docs. received				21-Mar-2005	
Information disclosure				21-Mar-2005	
Notice Of Missing Parts Mail Date				17-Nov-2005	
Docs. received				24-Feb-2006	
FILE IN US 30TH	27-Mar-2005			21-Mar-2005	
Notice Of Missing Parts	17-Jan-2006		17-Jun-2006	08-Dec-2005	
Fmts- Declaration	17-Mar-	24-Feb-	17-Jun-		Green's widow re-signed

due	2006	2006	2006	
Notice of missing parts - final date	17-Jun-2006		17-Jun-2006	08-Dec-2005
Re-activate Matter	04-Sep-2006			15-Aug-2006 USPTO error
Request for reconsideration	26-Dec-2006		26-Dec-2006	
Examiner's Reply Due	26-Aug-2007			26-Oct-2006 DECISION ON PETITION MAILED 26 OCT 2006 - PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT IS DISMISSED - THE APPLICATION REMAINS ABANDONED
Status Inquiry Due	17-Nov-2007			

CreateUser: CLS94940

UpdateUser: pdj36256

CreateDate: 03-Mar-2005

UpdateDate: 02-Nov-2006

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